

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Matthew Flower

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

Abraham P Kassis

Northampton County Sheriff's Department

Northampton County

COMPLAINT

Jury Trial: ☒ Yes ☐ No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name	Matthew Flower
	Street Address	374 W Main St, Apt 107
	County, City	Northampton County, Bath
	State & Zip Code	Pennsylvania 18014
	Telephone Number	484-661-8349

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Abraham P Kassis
 Street Address 669 Washington St
 County, City Northampton County, Easton
 State & Zip Code Pennsylvania 18042

Defendant No. 2 Name Northampton County Sheriff's Department
 Street Address Basement, 669 Washington St.
 County, City Northampton County, Easton
 State & Zip Code Pennsylvania 18042

Defendant No. 3 Name Northampton County c/o Office of the Solicitor
 Street Address 669 Washington St
 County, City Northampton County, Easton
 State & Zip Code Pennsylvania 18042

Defendant No. 4 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (*check all that apply*)
 ☒ Federal Questions ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? Plaintiff brings this suit pursuant to Title 42 U.S. Code § 1983 for violations of certain protections guaranteed to him by the First, Eighth, and Fourteenth Amendments of the federal Constitution, and by the defendants under color of law in the capacities of Common Pleas Judge and Sheriff's Department in Northampton County.
 ^{PA} Additionally, Plaintiff brings suit pursuant to the provisions of the Americans with Disabilities Act: Title II.

C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship n/a

Defendant(s) state(s) of citizenship n/a

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur? Northampton County Court of Common Pleas, Court Room #2, 669 Washington St, Easton PA 18042

B. What date and approximate time did the events giving rise to your claim(s) occur? November 22, at approximately 2:00PM Various email exchanges spanning with Northampton County ADA Coordinators spanning November - December of 2021.

C. Facts: see attached "Attachment A - Facts"

What
happened
to you?

Who did
what?

Was
anyone
else
involved?

Who else
saw what
happened?

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Plaintiff was forcibly taken into custody by Sheriff's Department and incarcerated at Northampton County Prison. Plaintiff was forced to liquidate livestock assets at a loss to meet the terms set by Judge Abraham Kassis to facilitate his release from prison and prevent the further financial losses which would presumably result from a 6 month period of incarceration.

False imprisonment

Emotional injury, depression, anxiety

V. Relief:

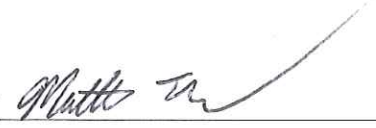
State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Plaintiff requests that the Court vacate the November 22 ruling of Judge Abraham Kassis, finding Plaintiff in willfull contempt and sentencing him to a period of incarceration. Plaintiff also requests that the Court order the County Court to schedule a new hearing on this matter and carry out that hearing affording all rights and privileges granted resulting from the Americans with Disabilities Act

Plaintiff requests monetary compensation of \$6000 dollars for his time spent in incarceration and an additional \$2000 for emotional injury incurred.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15th day of April, 20 22.

Signature of Plaintiff 

Mailing Address 374 W Main St
Apt 107
Bath, PA 18014

Telephone Number 484-661-8349

Fax Number (if you have one) n/a

E-mail Address mflowerlunac@gmail.com

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this n/a day of n/a, 20 n/a, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: n/a

Inmate Number n/a

Attachment A – Facts

1. Petitioner, Matthew L. Flower, is an adult individual residing at 374 W Main St, Apt 107, Bath PA 18014.
2. At the time of the events giving rise to the claims of the Petitioner, Northampton County Court of Common Pleas did have an Administrative Order in effect, both mandating the wearing of face coverings and providing exception for those medically unable to do so.
3. Petitioner meets the criteria for medical exemption in the state of Pennsylvania and has obtained appropriate documentation stating such. Petitioner has provided said documentation to Court Administration Department Head, Jermaine Greene, and to the Sheriff's Department representative, Lieutenant Volpe, as of September 15, 2021.
4. Between September 15, 2021 and October 26, 2021 petitioner had been able access to the courthouse, government center and domestic relations building without wearing a face covering and without incident.
5. Petitioner appeared outside the courtroom of Judge Kassis as ordered for a Domestic Relations matter on October 26, 2021. Petitioner had obvious and observable "cold-type symptoms" and was instructed to return home.
6. On November 2, 2021 Judge Abraham Kassis issued an order rescheduling the Domestic Relations Matter and instructing petitioner to: *"abide by all mandated conditions instituted for public safety, including the requirement to wear masks covering mouth and nose within the buildings and courtrooms. Failure to follow any provision of this order shall result in a finding of contempt."*
7. In response to the November 2, 2021 order, petitioner filed a grievance with the Northampton County Americans with Disabilities Act Coordinator, Robyn Barbosa on November 19, 2021 via email. The ADA Grievance Form filed by petitioner included a request to access to the court on November 22, 2021 so he could attend his rescheduled hearing as well as a request for Judge Kassis to recuse himself from further proceedings.
8. On November 22, 2021 around 10:00am, petitioner received a call from Ruth Vega-Velez, Northampton County ADA Coordinator, informing him that *"the mask mandate had been lifted in the courtrooms and that accommodation would not be an issue"*.
9. Petitioner did appear before Judge Abraham Kassis at Northampton County Court of Common Pleas for a Domestic Relations Sections Contempt matter on November 22, 2021.
10. During the November 22, 2021 proceeding, Judge Kassis compelled the petitioner to wear a mask against petitioner's objections after being informed that petitioner had utilized the County ADA process and had received confirmation that there would be no issue with petitioner's inability to wear a mask.

11. Judge Kassis compelled petitioner to wear mask in spite of the ADA process, and did so under threat of contempt, as evidenced by his November 2, 2021 order. Judge Kassis did additionally compel petitioner under threat of force, as evidenced by his commands to representatives of the Sheriff's Department present in the courtroom on that day.
12. Petitioner's ability to argue in his defense was severely impacted by failure of Judge Kassis to comply with the provisions of the Americans with Disabilities Act. Petitioner was denied the right to a fair trial and the right to petition the government without fear of punishment or reprisal.
13. Petitioner experienced extreme anxiety and depression during his period of incarceration.
14. On November 23, 2021 Petitioner filed an additional ADA Grievance via email with Northampton County ADA Coordinator Ruth Vega-Velez, resulting from the events of November 22 2021.
15. On November 30, Ruth Vega-Velez responded to the Nov 23 grievance by email and stated that there was no record of an exemption on file with court administration. Petitioner informed ADA Coordinator Vega-Velez that he had personally delivered the exemption document to Court Administration Department Head, Jermaine Greene, on or about September 15, 2021.
16. On December 3, 2021, Petitioner received email confirmation from ADA Coordinator Vega-Velez that he would be accorded accommodation under "the Act" for future appearances at court.